

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF VIRGINIA  
ABINGDON DIVISION**

KAREN TAYLOR-BAGHERI, )  
ADMINISTRATOR OF THE ESTATE OF )  
SHAWN MATTHEW MCKEE, DECEASED, )  
 )  
Plaintiff, )  
 )  
v. ) Case No. 1:14-cv-00077-JPJ  
 )  
DWIGHT L. BAILEY, M.D., )  
APPALACHIAN EMERGENCY )  
PHYSICIANS, )  
AND )  
FAMILY HEALTH CARE ASSOCIATES OF )  
SOUTHWEST VIRGINIA, P.C., )  
 )  
Defendants. )

**STIPULATION OF DISMISSAL**

COME NOW the Plaintiff, Karen Taylor-Bagheri, Administrator of the Estate of Shawn Matthew McKee, deceased, and the Defendants, Dwight L. Bailey, M.D., Appalachian Emergency Physicians, and Family Health Care Associates of Southwest Virginia, P.C., pursuant to Fed. R. Civ. P. 41(a)(1)(A)(ii), and STIPULATE that this matter is DISMISSED WITHOUT PREJUDICE as to Defendant Family Health Care Associates of Southwest Virginia, P.C., only and that this action shall continue as to any and all claims the Plaintiff has against the remaining defendants. The new style of this case shall be "*Karen Taylor-Bagheri, Administrator of the Estate of Shawn Matthew McKee, deceased, v. Dwight L. Bailey, M.D., and Appalachian Emergency Physicians.*"

The signatures of counsel of record for the parties are affixed hereto as evidence of their agreement to this stipulation.

/s/ Walter H. Peake, III

Walter H. Peake, III  
Virginia State Bar Number: 26379  
Frith Anderson & Peake PC  
29 Franklin Road SW  
Roanoke, Virginia 24011  
Telephone: 540-725-3362  
Fax: 540-772-9167  
E-mail: [wpeake@faplawfirm.com](mailto:wpeake@faplawfirm.com)  
Attorney for Family Health Care Associates of  
Southwest Virginia, P.C.

\*

/s/ Benjamin D. Byrd

Benjamin D. Byrd  
Gentry Locke Rakes & Moore, LLP  
10 Franklin Road SE, Suite 800  
Roanoke, VA 24022  
Telephone: 540-983-9300  
Fax: 540-983-9400  
Counsel for plaintiff  
[roberts\\_moore@gentrylocke.com](mailto:roberts_moore@gentrylocke.com)  
[anthony\\_russell@gentrylocke.com](mailto:anthony_russell@gentrylocke.com)  
[byrd@gentrylocke.com](mailto:byrd@gentrylocke.com)  
Counsel for Plaintiff

/s/ James Lucas Humphreys

James Lucas Humphreys  
Hunter, Smith & Davis  
P.O. Box 3740  
Kingsport, TN 37664-0740  
423-378-8862  
423-378-8804 (fax)  
[humphrey@hsdlaw.com](mailto:humphrey@hsdlaw.com)  
Counsel for Dwight L. Baily and  
Appalachian Emergency Physicians